

**IN THE UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF OKLAHOMA**

ZACARIAS MOUSSAOUI,)	
)	
Petitioner,)	
)	
v.)	Case No. CIV-20-903-D
)	
TURKI AL FAISAL AL SAUD,)	
)	
Respondent.)	

ORDER

This matter is before the Court for review of the Report and Recommendation [Doc. No. 7] issued by United States Magistrate Judge Suzanne Mitchell pursuant to 28 U.S.C. § 636(b)(1)(B) and (C). Upon initial screening, Judge Mitchell recommended that the Court dismiss the action without prejudice based on Petitioner's failure to prosecute. Specifically, Judge Mitchell noted Petitioner's failure to pay the filing fee or apply to proceed *in forma pauperis*.

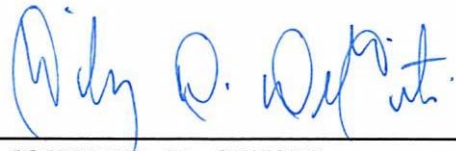
Within the time limits authorized by the Court, Petitioner filed an objection—asserting that the FBI is denying him access to his money and asking the Court to order the FBI to allow him access, so he can pay the filing fee. [Doc. No. 9]. Accordingly, the Court must make a *de novo* determination of any portion of the Report to which a specific objection is made, and may accept, modify, or reject the recommended decision in whole or in part. 28 U.S.C. § 636(b)(1); FED. R. CIV. P. 72(b)(3).

Upon *de novo* review of the issues presented, the Court concurs with Judge Mitchell that the action should be dismissed without prejudice based on Petitioner's failure to pay

the filing fee or submit a motion for leave to proceed *in forma pauperis*. Petitioner's assertion that he lacks access to funds to pay the filing fee does not prevent him from filing a motion with the Court for leave to proceed *in forma pauperis*.

Accordingly, Judge Mitchell's Report and Recommendation [Doc. No. 7] is **ADOPTED** as though fully set forth herein. This action is **DISMISSED** without prejudice. A judgment shall be issued forthwith.

IT IS SO ORDERED this 30th day of November 2020.



TIMOTHY D. DeGIUSTI
Chief United States District Judge